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HIGH COURT OF CHHATTISGARH, BILASPUR

W.P.(S) No. 4855/2007

Petitioner		Janardan Dubey, s/o Lalmani Dubey aged about 45 years, occupation Assistant Veterinary Officer, Veterinary Hospital Darima District Surguja(CG)
		Versus
RESPONDENTS	1	State of Chhattisgarh, Through: the Secretary, Department of Veterinary Mantralaya, DKS Bhawan, Raipur (CG)
	2.	Collector Surguja, Ambikapur(CG)
	3.	Deputy Director Veterinary Department Ambikapur, District Surguja(CG)
	4.	Sukhsai Ram Assistant Veterinary Prajanan Ikai Veterinary Hospital Darima, District-Surguja(CG)

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA

Appearance:

Shri Sunil Tripathi, counsel for the petitioner.

Shri Yashwant Singh, G.A. for the State on advance copy

ORAL ORDER
(27.8.2007)

Sunil Kumar Sinha, J.

Heard on admission.

The petitioner, who is presently working on the post of Assistant Veterinary Officer, Veterinary Hospital Darima, District Surguja(CG), has been transferred from Darima to Sakalo. It is stated that the petitioner is posted at Darima since 31.7.2005. It is further stated that the distance between Darima and Sakalo is about 16 km.

Learned counsel for the petitioner submits that in fact, respondent No.4 was working at Darima on the post of Assistant Veterinary Officer and if a person was to be transferred against the place i.e. Sookar Palan Prekshetra, then respondent No.4 was the

fittest person to be sent to that place because, he holds the similar post. His submission is that the action of the Govt. appears to be malafide, by leaving respondent No.4 and transferring the petitioner from Darima to Sakalo.

I have considered the submission made by learned counsel for the petitioner. No Rules have been shown to show that the person like petitioner cannot be posted in Sookar Palan Prekshetra, on account of holding a particular cadre, therefore, such an action cannot be said to be malafide. The petitioner is posted at Darima since 31.7.2005 and he has been chosen for transfer along with other 54 persons by the general order issued by the Government to a place which is only at a distance of about 16 km from Darima. I do not find any reason to interfere with the order passed regarding transfer of the petitioner by the competent authority.

The petition is dismissed at the motion stage itself.

Sd/-
Sunil Kumar Sinha
Judge

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